

**Remarks/Arguments:**

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested. Claims 1-48 are pending; Claims 1, 11, 21, 31, and 34 are amended; and Claims 41-48 are newly added herewith. It is respectfully submitted that no new matter is added by this amendment.

Applicants thank Primary Examiner Courtenay and Examiner Anya for the interview granted Applicants' representative on October 9, 2003. During the interview, independent Claims 1, 11, 21, and 31 were discussed with regard to the references of record.

Additionally, the subject matter recited in Claim 8, which is similarly recited in analogous Claims 18, 28, and 38, was discussed with regard to the references of record. As it was agreed during the interview that the subject matter of Claims 8, 18, 28, and 38 patentably distinguishes over the references of record, these claims have been amended into independent form as newly added Claims 41, 43, 45, and 47. Because Claims 42, 44, 46, and 48 depend from allowable Claims 41, 43, 45, and 47, respectively, it is respectfully submitted that Claims 41-48 are in condition for allowance.

In the outstanding Office Action, Claims 1-7, 11-17, 21-27, and 31-37 were rejected under 35 U.S.C. § 102(e) as anticipated by Lin et al. (U.S. Patent No. 5,949,415, hereafter "the '415 patent"); and Claims 8-10, 18-20, 28-30, and 38-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over the '415 patent in view of Lin et al. (U.S. Patent No. 6,163,802, hereafter "the '802 patent").

With regard to the rejection of Claims 1-7, 11-17, 21-27, and 31-37 under 35 U.S.C. § 102(e) as anticipated by the '415 patent, that rejection is respectfully traversed. Claim 1 recites "a monitoring unit configured to monitor data from the target application corresponding to selecting of the plurality of operations of the interface by the user while the target application is in use, and to generate a log of the monitored data." Support for this

amendment may be found, for example, at pages 3 and 4 of the specification. Accordingly, it is respectfully submitted that no new matter is added by this amendment.

As explained in the specification at page 19, the monitoring and logging block 515 monitors the user's usage of the user interface 510 and records or logs data of such monitored usage. At a designated time, the logged data of the user's usage of the user interface 510 is then sent to the sending block 520, which then communicates such monitored usage data to a designated party.<sup>1</sup>

As discussed during the interview, the '415 patent relates to a method and apparatus for directing program usage in a computer system. Graphical user interface 3 of the '415 patent includes a program monitor 4 configured to track program usage information for applications launched by a graphical user interface 3.<sup>2</sup> The '415 patent further describes that the program monitor 4 maintains a local record file 5 with a current status information relating to tasks and subtasks 7 running under operation system 2.<sup>3</sup> However, what the '415 patent is monitoring is tasks spawned by the launched application.<sup>4</sup>

From this description, it is evident that a program must actually begin to run in response to a user's selection in the '415 patent. By contrast, as recited in Claim 1, a monitoring unit is configured to monitor data from the target application corresponding to selecting of the plurality of operations of the interface by the user while the target application is in use. More specifically, because the monitoring unit monitors data from the target application corresponding to selecting the plurality of operations of the interface by the user while the target application is in use, selected activity, such as keyboard use, may be determined. A user's interaction with the interface does not have to generate a new program execution, task or subtask, in order to be monitored based on the limitations recited in Claim

<sup>1</sup> Specification, page 19, lines 26-30.

<sup>2</sup> The '415 patent, col. 3, lines 12-14.

<sup>3</sup> *Id.* at lines 12-15.

<sup>4</sup> *Id.* at col. 5, lines 12-15.

1. Therefore, unlike the '415 patent, it is possible to monitor interactions of a user with a graphical user interface without launching programs, tasks, or subtasks, according to Claim 1.

Accordingly, as the '415 patent fails to disclose or suggest the limitations recited in Claim 1, it is respectfully submitted that Claim 1 patentably distinguishes over the '415 patent. Likewise, as Claims 11, 21, and 31 recite analogous features, these claims are also believed to patentably distinguish over the '415 patent. It is therefore respectfully requested that the rejection of Claims 1-7, 11-17, 21-27, and 31-37 be withdrawn.

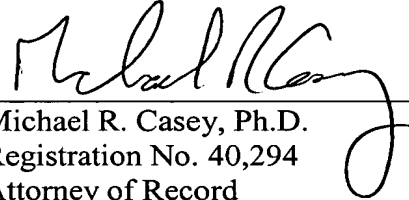
Regarding the rejection of Claims 8-10, 18-20, 28-30, and 38-40 under 35 U.S.C. § 103(a) as unpatentable over the '415 patent in view of the '802 patent, that rejection is also traversed. As earlier noted, it was agreed during the interview that the subject matter recited in Claims 8, 18, 28, and 38, from which Claims 9, 19, 29, and 39, depend, respectively, is allowable.

As noted above, the '415 patent fails to disclose or suggest the limitations recited in Claims 1, 11, 21, and 31, from which Claims 10, 20, 30, and 40 depend, respectively. As the '802 patent is not relied upon to show the monitoring feature, it is respectfully submitted that Claims 10, 20, 30 and 40 patentably distinguish over both the '415 and the '802 patents, either alone or in combination. It is therefore respectfully requested that this rejection be withdrawn.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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